IN THE HIGH COURT OF BOMBAY AT GOA
****

WRIT PETITION NO. 284 OF 2001

1. Nilkant Shripad Marathe,
   of major age, occupation,
   agriculture, r/o House
   No.218/1, Chirewhal,
   Post Pratapnagar, Honda,
   Satari, Goa,

2. Shri Vasant Vishnu Marathe,
   of major age, occupation
   agriculture, r/o House
   No.219, Chirewhal, Honda,
   Taluka Satari, Goa,

3. Shri Saju Krishna Gawde,
   of major age, occupation,
   agriculture, r/o residing
   at House No.220, Chirewhal,
   Honda, Taluka Satari,Goa,

4. Shri Sandip Yeshwant
   Gawade, of major age,
   occupation agriculture,
   r/o House No.217/1, Chirewhal,
   Post Pratapnagar, Honda,
   Taluka Satari, Goa,

5. Tale Khasbag &
   Chirewhal Farmers'
   Association, a Society
   registered under the
   Societies Act, 1860,
   having its registered
   office at House No.210/1,
   Honda-Tisk, Taluka
   Satari, Goa, through its
   President Shri Shrikant
   K. Barve. ... Petitioners.

Versus

1. State of Goa through its
   Chief Secretary, having
   his office at Secretariat,
   Panaji, Goa,

2. The Director of
   Industries & Mines,
   Government of Goa, Udyog
   Bhavan, Panaji, Goa,

3. The Chief Engineer,

Irrigation Department,
Government of Goa,
Panaji, Goa,

4. The Collector of North Goa,
Government of Goa,
Collectorate, Panaji,
Goa,

5. Goa State Pollution
Control Board, Govern-
ment of Goa, Panaji, Goa,

6. Indian Bureau of Mines,
Government of India,
having their office at
Fatorda, Margao, Goa,

7. Director General of Mines
Safety, Government of
India, Borda, Margao,
Goa,

8. Sesa Goa Limited,
having their Head Office
at Sesa Ghor, Patto,
Panaji, Goa,

9. M/s. V. G. Quenim,
Keni Bldg., Dr. Dada
Vaidya Road,
Panaji, Goa,

10. M/s. Pandurang Timblo
Industries Ltd., having
their office at Margao,
Goa,

11. M/s. V.M. Salgaocar &
Bros. Pvt. Ltd., having
their ffice at Surla,
Taluka Bicholim, Goa,

12. M/s. V. S. Dempo Pvt.
Ltd., Dempo House,
Panaji, Goa, and

13. Ministry of Environment
and Forests, Govt. of
Goa, Paryanvaran Bhavan,
CGO Complex, Lodhi
Road, New Delhi 110 003. ... Respondents.

Mr. S. N. Joshi, advocate for the petitioners.

Mr. A.N.S. Nadkarni, Advocate General with Mr. H. D. Naik, Addl. Govt. Advocate for respondent nos.1 to 5.

None for respondent nos. 6 and 7.

Mr. R. G. Ramani, advocate for respondent no.8.

Mr. V. B. Nadkarni, Senior Advocate with Mr. Y. V. Nadkarni, advocate for respondent no.9.

Mr. E.P. Lobo, advocate for respondent no.10.

Mr. D. Pangam, advocate for respondent no.11.

Mr. Sudin Usgaokar, advocate for respondent no.12.

CORAM : B. H. MARLAPALLE &
N. A. BRITTO, JJ.

DATE : 15th December, 2004.

ORAL JUDGMENT (Per Marlapalle, J.)

The petitioners and the respondent nos. 8 to 12 have been able to arrive at a compromise which has been reduced to writing and placed before us as Minutes of Order (Draft).

2. As per the said Compromise Terms, with a intention to provide for a permanent arrangement to meet the requirements of water for irrigation at Tale, Khasbag and Chirewal wards of Honda of Satari Taluka, respondent nos.8 to 10 have agreed to finance to the extent of Rs.8,00,000/-. An amount of Rs.6,00,000/- would be payable to the Tale Khasbag and Chirewal Farmers' Association towards the expenditure for digging of two open wells out of which one has already been dug at Chirewal of the size of 10 mts. x 10 mts. and the other well shall be dug at Tale Khasbag of the size 6 mts. x 6 mts.. To meet the recurring expenses of maintenance of the wells, pump house, pumps and for payment of electricity bills,

an additional amount of Rs.2,00,000/- by way of deposit shall also be paid by respondent nos.8 to 12 t the Tale Khasbag and Chirewal Farmers' Association.

3. The Minutes of Order (Draft) have been signed by the petitioners as well as the authorized officers of respondent nos.8 to 12. They are marked as "X" for identification.

4. The petition is disposed of in terms of the said Compromise Terms and we make it clear that the digging of wells shall be subject to the permission/licence to be granted by the competent authority of the State Government. The well which has already been dug could be regularized by submitting an application to the competent authority, who shall regularize the same, if otherwise it conforms with the requirements. We have also noted that these Compromise Terms are entered between the petitioners and respondent nos.8 to 12 only.

5. Petition disposed of accordingly.

B. H. MARLPALLE, J.

N. A. BRITTO, J.